

REMARKS

In accordance with the foregoing, there have been no amendments. No claims have been cancelled and no new claims have been added. Claims 1-4 are pending and under consideration.

Favorable reconsideration of this application, in light of the following discussion is respectfully requested.

OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION:

On page 2 of the outstanding Office Action, dated September 22, 2005, the Examiner rejects claims 1-4 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of commonly-owned U.S. Patent No. 6,795,087 B2. The rejection notes that a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome the double patenting rejection, provided the conflicting patent is commonly owned with the present application.

Accordingly, Applicant has provided a terminal disclaimer in compliance with 37 CFR 1.321(c) to alleviate the obviousness-type double patenting rejection over claims 1-4 of commonly-owned U.S. Patent No. 6,795,087 B2. As such, it is respectfully requested that the obviousness-type double patenting rejection be withdrawn.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, it is respectfully submitted that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

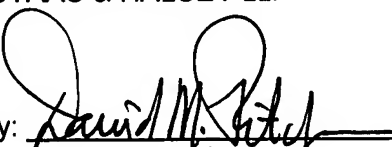
Respectfully submitted,

STAAS & HALSEY LLP

Date:

February 22, 2006

By:


David M. Pitcher
Registration No. 25,908

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501